

UNITED STATES BANKRUPTCY COURT

SOUTHERN District of OHIO

WESTERN DIVISION AT DAYTON

In re: Mark A. Haden
Kimberly K. Haden

Case No. 11-33533

Debtor(s)

Chapter 13

Response to Notice of Final Cure Payment

Name of creditor: Wells Fargo Bank, N.A.

Last four digits of any number you use to identify the debtor's account 5714

Uniform Claim Identifier: n/a

Court claim no. (if known): 6

Part 1: Status of Payments on Claim and Post-Petition Payments

In response to the Trustee's Notice of Final Cure Payment, Creditor states that:

Section A: Status of Claim Amounts (Choose ONE in Section A)

- ☒ As of 2/9/2016, Debtor(s) has paid in full the amount required to cure the default on the Creditor's claim.
- ☐ The Creditor contends that the Trustee disbursement(s) totaling _____ have not yet been posted to the account. With the application of those funds, the Debtor(s) will have paid in full the amount required to cure the default on the Creditor's claim.
- ☐ As of _____, Debtor(s) has not paid in full the amount required to cure the default on the Creditor's claim.
- ☐ The Creditor contends that the amounts itemized in Part 2 below remain unpaid.
- ☐ The Creditor contends that Trustee disbursement(s) totaling _____ have not yet been posted to the account. With the application of those funds, the Debtor(s) will have paid in full the amount required to cure the default on the Creditor's claim.

Section B: Status of Post-Petition Payment, Fees, Expenses and Charges (Choose ONE in Section B)

☐ Post-Petition Payments Paid by Debtor(s)

- ☐ As of _____, the Creditor agrees that the Debtor(s) is current on all post-petition payments, fees, expenses and charges. Debtor(s) is due post petition for _____.
- ☐ As of _____, the Creditor disagrees that the Debtor(s) is current on all post-petition payments, fees, expenses and charges. The Creditor contends that the post-petition payments, fees, expenses and charges itemized in Part 3 below remain unpaid.

☒ Post-Petition Payments Paid by Trustee

- ☒ As of 2/9/2016, the Creditor agrees that the Debtor(s) is current with all post-petition payments consistent with Section 1322(b)(5) including all fees, charges, expenses, escrow and costs. Debtor(s) is due post petition for 3/1/2016.
- ☐ The Creditor contends that Trustee disbursement(s) totaling _____ have not yet been posted to the account. With the application of those funds, the Debtor(s) will be current with all post-petition payments consistent with Section 1322(b)(5) including all fees, charges, expenses, escrow and costs.
- ☐ As of _____, the Creditor disagrees that the Debtor(s) is current on all post-petition payments, fees, expenses and/or charges consistent with Section 1322(b)(5). The Creditor contends that the post-petition payments, fees, expenses and charges itemized in Part 3 below remain unpaid.

Part 2: Itemization of Claim Amounts not Cured by Debtor(s)

Description	Amount
1. Late Charges	(1) _____
2. Non-Sufficient funds (NSF) fees	(2) _____
3. Attorney's fees	(3) _____
4. Filing fees and court costs	(4) _____
5. Advertisement costs	(5) _____

6. Sheriff/auctioneer fees (6) _____
7. Title costs (7) _____
8. Recording fees (8) _____
9. Appraisal/broker's price opinion fees (9) _____
10. Property inspection fees (10) _____
11. Tax advances (non-escrow) (11) _____
12. Insurance advances (non-escrow) (12) _____
13. Property preservation expenses (13) _____
14. Escrow shortage or deficiency (not included as part of any installment payment listed in line item 15) (14) _____
15. Past Due Payments

_____ -- _____ installments at _____ \$0.00
 _____ -- _____ installments at _____ \$0.00
 _____ -- _____ installments at _____ \$0.00
 Past due payments prior to _____ in the total amount of \$ _____
 See attached for breakdown.

Total payments due

(15) \$0.00
16. Other. Specify: (16) _____
17. Other. Specify: (17) _____
18. Unapplied Funds (18) (____)
19. Total Claim Amounts not cured by Debtor(s). Add all of the amounts listed above. (19) \$0.00

Part 3: Itemization of Post-Petition Payments, Fees, Expenses and Charges not Cured by Debtor(s)

Description	Amount
1. Late Charges	(1) _____
2. Non-Sufficient funds (NSF) fees	(2) _____
3. Attorney's fees	(3) _____
4. Filing fees and court costs	(4) _____
5. Advertisement costs	(5) _____
6. Sheriff/auctioneer fees	(6) _____
7. Title costs	(7) _____
8. Recording fees	(8) _____
9. Appraisal/broker's price opinion fees	(9) _____
10. Property inspection fees	(10) _____
11. Tax advances (non-escrow)	(11) _____
12. Insurance advances (non-escrow)	(12) _____
13. Property preservation expenses	(13) _____
14. Past Due Payments	

Escrow advance on the account?☐ No

☐ Yes Escrow advance balance on the account is _____ and will be
collected through the escrow portion of the ongoing monthly
installments.

_____ -- _____	_____	installments at _____	\$0.00
_____ -- _____	_____	installments at _____	\$0.00
_____ -- _____	_____	installments at _____	\$0.00

Past due payments prior to _____ in the total amount of _____
See attached for breakdown.

Total payments due (14) \$0.00

- | | |
|--------------------------------------------------------------------------------------|--------------------|
| 15. Other. Specify: | (15) _____ |
| 16. Other. Specify: | (16) _____ |
| 17. Unapplied Funds | (17) (_____) |
| 18. Total post-petition payments, fees, expenses and charges not cured by Debtor(s). | (18) <u>\$0.00</u> |

/s/ Joel K. Jensen

Attorney for Creditor, Joel K. Jensen

Bar Registration No. 0029302

Lerner, Sampson & Rothfuss

PO Box 5480

Cincinnati, OH 45201-5480

(513) 241-3100 ext. 3349

(513) 354-6464 fax

sohbk@lsrlaw.com

Suspense Balance is \$143.56

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing Response to Notice of Final Cure Payment and Completion of Payments under the Plan of the secured creditor was electronically transmitted on February 15, 2016 via the Court's CM/ECF system to the following who are listed on the Court's Electronic Mail Notice list:

Jeffrey M. Kellner - Trustee
131 North Ludlow Street
Suite 900
Dayton, OH 45402-1161
ecfclerk@dayton13.com

Scott A. Kramer
130 W. Second Street
Suite 310
Dayton, OH 45402
kramerbkruptcy@yahoo.com

Office of The U.S. Trustee
170 North High Street
Suite 200
Columbus, OH 43215
USTPRegion09.CB.ECF@usdoj.gov

and by regular U.S. mail, postage prepaid, to:

Mark A. Haden
4449 Derwent Drive
Dayton, OH 45431

Kimberly K. Haden
4449 Derwent Drive
Dayton, OH 45431

/s/ Joel K. Jensen

Joel K. Jensen, Attorney for Creditor
Lerner, Sampson & Rothfuss
Bar Registration No. 0029302
Attorneys for Creditor
PO Box 5480
Cincinnati, OH 45201-5480
(513) 241-3100 ext. 3349
(513) 354-6464 fax
sohbk@lsrlaw.com